



# FREDERICK

## PLANNING

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May 28, 2021

Heather Dawson  
1830 NE 135<sup>th</sup> Street  
Oklahoma City, OK 73131  
(405) 693-2241

**Re: ZBA21-580ZD: Zoning Determination, 140 Thomas Johnson Drive, Frederick MD 21702**

Dear Ms. Dawson,

In response to your request dated May 25, 2021, Staff has prepared the following information:

The subject property, 140 Thomas Johnson Drive, (the "Property") is zoned PB (Professional Business). Per Section 401, Table 401-1 of the Land Management Code (LMC), the purpose of this district is to provide for a provide land for high quality office, medical office, and research and development with limited retail, service and residential uses. The intent of this designation is to enhance existing and future office lands by integrating uses that serve the businesses and employees in the office area and may include amenities or services such as meals, banks, personal services, housing, day care, recreation and business support services. The use of a medical office would be permitted by-right in the PB district under Section 404, Table 404-1 of the LMC, and the Property currently operates under this established use. The lots immediately adjacent to the property are zoned PB as well, and a comprehensive zoning map is available online at [spires.cityoffrederick.com](http://spires.cityoffrederick.com).

Our records show that a site plan for the Property was approved on April 3, 2002 under case number PC01-41FSI (Frederick Research Park Lot 3B.) This site plan was reviewed and approved based on compliance with the 1986 Zoning Ordinance. In 2005, the City of Frederick adopted the LMC as a replacement for the previous zoning ordinances. A subsequent revision to this site plan, to increase the square footage of the building, was unconditionally approved on January 17, 2007 (case number PC06-238FSI). In accordance with LMC Section 910 (Existing Development Approvals), site plan PC06-238FSI was reviewed for compliance with the standards of the 1986 Zoning Ordinance, due to the timeframe in which it was submitted. Any future site plan or site plan amendment for this property will be reviewed according to the current LMC standards.

In conjunction with the site plan revision, a modification to the parking requirement was approved by the Planning Commission, reducing the required parking to 74 spaces (case number PC06-443.) The modification is noted on site plan case number PC06-283FSI which states that, should the use of the site change, the applicant must reapply for a parking modification or provide additional parking as needed. with two conditions and the approval letter has been attached with this determination.

On June 19, 2008, staff approved a modification request to reduce the loading space dimensions from a large loading space (12' x 50') to a small loading space (9' x 20') as permitted in LMC Section 607(g), based on the primary use of this loading space for the pick up and drop off of patients at the dialysis center. The modification was approved under case number STF08-347 and the approval letter has been attached with this determination.

There are no proceedings or active violation cases for the Property on record at this time.

If you have any further questions please don't hesitate to call me at (301) 600-3187 or email me at [cmorrison@cityoffrederickmd.gov](mailto:cmorrison@cityoffrederickmd.gov).

*The purpose of the service provided by the Zoning Administrator regarding determinations/interpretations is to identify the zoning of a particular property, to verify that a use is permitted or permissible in a specific Zoning District and to clarify and interpret the Land Management Code. Any questions regarding specific regulations and requirements for a site or sites' compliance with the Land Management Code not addressed in this letter shall not be the responsibility of the Zoning Administrator. It is the responsibility of the applicant, property owner and/or property purchaser to review the project site plan and the Land Management Code for compliance.*

*This determination applies solely to the referenced property and is not binding upon the City, the Zoning Administrator or any other official with respect to any other property. No person may rely upon this determination with respect to any property other than the referenced property. Please be advised that any person aggrieved, or any officer, department or agency of The City of Frederick affected by an order, requirement, decision, or determination made by an administrative officer in the administration or enforcement of the provisions of the Land Management Code may appeal said decision within thirty days to the Zoning Board of Appeals.*

Sincerely,



Charles K. Morrison

Development Planner I

Cc: Jessica Murphy, CoF  
Carreanne Eyler, CoF

In Concurrence,



Joe Adkins

Zoning Administrator/Deputy Director

May 12, 2021

Jessica Murphy  
City of Frederick  
140 W. Patrick Street  
Frederick, MD 21701

RE: 140 Thomas Johnson Drive, Frederick, Maryland 21702  
Use: Medical Office Space

Hello,

Enclosed please find a check in the amount of \$200.00 to process this request. If more fees are required, please let me know and I will send additional funds to complete this request.

The items I would like addressed / answered:

1. Current Zoning of the property
  - 1A. Is the use permitted - medical office space
2. Abutting Zoning districts & or Zoning Map
3. Is the property located in a Planned Development or any special, restrictive or overlay zoning districts?
4. Is your office aware of any outstanding Zoning, Building or Fire Code violations on file for the site? (Anything they have been cited for and not yet resolved.)
5. Are there any existing special/conditional use permits, variances, resolutions or ordinances that apply to the site currently? (Anything that exists on file/record now would run with the land upon development. If yes, please provide copies, if available.)
6. Is an existing site plan on file for the site? (If yes, please provide a copy, if available.)

Thank You,  
Heather Dawson  
1830 NE 135th Street  
Oklahoma City, OK 73131  
EMAIL: [heatherdawsonzoning@gmail.com](mailto:heatherdawsonzoning@gmail.com)  
Phone: 405-693-2241

